

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 17-30 were pending in this application. Claims 22 and 29 have been cancelled, and claims 17 and 23 have been amended hereby to recite the subject matter of the now-cancelled claims. Claims 17-21, 23-28 and 30 will be pending herein upon entry of this Amendment. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action, claims 17-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Minogue in view of Chen (U.S. 6,038,614). Claims 22-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Minogue in view of Chen, and further in view of Fetterman. (Applicant understands that it is Chen (U.S. 5,957,595) that should have been properly cited [not Chan, et al., U.S. 6,038,614], and will respond to the Office Action as though Chen '595 was in fact cited.) To the extent these grounds of rejection might still be applied to claims presently pending in this application, they are respectfully traversed.

The presently claimed invention recites several features that are combined to produce a unique computing apparatus. Independent claims 17 and 23 recite a plurality of keys arranged in arc fashion, non-standard function keys (hot keys) arranged at an upper edge of a base on which the plurality of keys are located, and keyboard fasteners that permit the keyboard to be replaced.

Applicant notes that the burden of establishing a prima facie case of obviousness lies with the Patent Office. In re Fine, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). To establish a prima facie

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case of obviousness, there must be (1) some suggestion or motivation (either in the references themselves or in the knowledge generally available to one of ordinary skill in the art) to modify the reference or to combine reference teachings to achieve the claimed invention, and (2) the prior art must teach or suggest all the claim limitations. MPEP §2143. Also simply because the references could be combined, does not mean they should be. MPEP §2143.01, citing In re Mills, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990).

While the cited references might individually disclose features recited in the claims as amended, the Office Action fails to adequately set forth sufficient motivation to combine the references as asserted. For example, while Fetterman describes a removable keyboard, that reference suggests nothing about arced key rows. Likewise, while Minogue discloses arced key rows, it mentions nothing about removable keyboards. Chen says nothing about either arced rows or the desirability of a removable keyboard. Thus, it appears that the Patent Office has improperly used Applicant's own disclosure as a map to arrive at the claimed invention using bits and pieces of features disclosed in the prior art. This use of hindsight is improper. More importantly, because the references themselves do not suggest the combination being asserted by the Patent Office, and the Patent Office has failed to show that the knowledge generally available to one of ordinary skill in the art would have provided the necessary motivation to make the asserted combination, Applicant respectfully submits that a prima facie case of obviousness has not been met. As such, Applicant respectfully requests that the §103 rejections of the claims be reconsidered and withdrawn.

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In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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